IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE NINETEENTH DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MS JUSTICE G.ROHINI

WRIT PETITION NO : 8466 of 2005

Between:

1 M. Apalaraju S/o. M. Ranga Raju
resident of Yandagandi Village, and Post Undi Mandal, West Godavari District.
2 M. Viswanatha Raju S/o. M. Ranga Raju
resident of Yandagandi Village, and Post Undi Mandal, West Godavari District.
3 M. Chandravathi W/o. M. Appala Raju
resident of Yandagandi Village, and Post Undi Mandal, West Godavari District.
4 M. Padmaja, W/o. M. Viswanatha Raju
resident of Yandagandi Village, and Post Undi Mandal, West Godavari District.

..... PETITIONERS

AND

1 The Government of Andhra Pradesh, Revenue Department, Rep. by its Secretary, Secretariat, Hyderabad.
2 The Revenue Divisional Officer, Vizanagaram.
3 The Mandal Revenue officer, Datti Rajeru Mandal, Gajapatinagaram Sub-Division, Vizianagaram District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue any writ, order or direction more particularly one in the nature of Mandamus declaring the action of the respondents in not issuing the pattadar passbooks and title deeds relating to lands in Survey No. 5P Acres 13-80 cents, 6P Acres 12.61 cents S.No. 13-3- Acres 0.07 cents Over S.No. 14-1 Acres 13.05 cents of Datti Venkatapuram Village, Datti Rajeru Mandal, Gajapathinagaram Sub-Division, Vijayanagaram District and entertaining the claims of unauthorized persons behind back and consequently issuing notices to 3rd parties for conducting enquiry, despite

issuing pattadar passbooks and title deeds in favour of the petitioners and in spite of repeated representations of the petitioners dt. 4-11-2004, 5-11-2004, 6-12-2004, 4-1-2005, 4-2-2005, 6-3-2005, 21-3-05 as totally arbitrary, illegal, unjust and constitutional being volatitle of Article 14, 21 and 300-A of the Constitution of India, contrary to the judgments of this Honourable High Court reported in 1997 (2) A.L.D. 830, and 2002(2) A.L.D. 712. in this regard and may be pleased to pass any other order or direction.

Counsel for the Petitioners: MR.A.SRIGANESH

Counsel for the Respondents: GP FOR REVENUE

The Court at the stage of admission made the following :

O R D E R:

This writ petition is filed seeking a declaration that the action of the respondents in not issuing the pattadar passbooks and title deeds relating to the lands situated in Survey No.5P of an extent of Ac.13-80 cents, in Survey No. 6P of an extent of Ac.12-61cents, in Survey No.13-3 of an extent of Ac.0.07 cents and in Survey No.14-1 of an extent of Ac.13-05 cents of Datti Venktapuram Village, Datti Rajeru Mandal, Gajapathinagaram sub-division, Vijayanagaram District is arbitrary and illegal.

The petitioners state that they are the absolute owners of the lands-in-question having purchased the same under the registered sale

deeds dated 01-11-2004 and 02-11-2004. It is further stated that subsequently they made number of representations to the respondents requesting for issue of pattadar passbooks and title deeds in respect of the said lands.

The only grievance of the petitioners is that their request has not been considered by the respondents and no orders have been passed so far. Hence, this writ petition contending that they are entitled for the pattadar passbooks and title deeds and the inaction on the part of the respondents is arbitrary and illegal.

Having heard the learned counsel for the petitioners and the learned Government Pleader for Revenue appearing for the respondents and perused the material on record, without expressing any opinion as to the ownership claimed by the petitioners, the writ petition is disposed of with a direction to the respondents to consider the request of the petitioners in their representation dated 21-03-2005 and to pass appropriate orders in accordance with law as expeditiously as possible preferably within a period of four weeks from the date of receipt of a copy of this order. No costs.

(G.ROHINI,J)

Date:19-04-2005

Note: Issue CC in two days.

B/o

ghn

To

1 The Secretary, The Government of Andhra Pradesh, Revenue Department, Secretariat, Hyderabad.
2 The Revenue Divisional Officer, Vizanagaram.
3 The Mandal Revenue officer, Datti Rajeru Mandal, Gajapatinagaram Sub-Division, Vizianagaram District.

4 Two CCs to the Government Pleader for Revenue, High Court of A.P., Hyderabad. (O.U.T.)

5 Two CD copies.